



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:) Oroup Art Unit: 2872
Joseph VICTOR et al) Examiner: Not Yet Assigned
Serial No.: 10/008,469))
Filed: November 9, 2001)
For: 3-D ELECTRO OPTICAL SWITCH)))
)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents Washington, D.C. 20231

Sir:

Date of Deposit

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449 and copies are enclosed for the convenience of the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application			
filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR			
ined under § 1.35(d), or (2) within three months of entry of the national stage as set forth in 37 Crit §			
CERTIFICATE OF MAILING			
(37 C.F.R. §1.8a)			
I have reasonable basis to expect that this paper (along with any referred to as being attached or enclosed) would be mailed from the United States Postal Service on the date indicated with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231			
Mary L. Smith			
Name of Person Mailing Paper			

Signature of Person Mailing Paper-.0

-	• •	efore the mailing of a first Office action on the merits; or (4) before the mailing of a first fter filing a request for continued examination under § 1.114. Thus, no fee is required.
		However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR §1.17(p) to the deposit account referenced below.
		However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.
on the 1 § 1.311	merits, l	OS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action out before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR
		The fee due under 37 CFR § 1.17(p) is submitted herewith.
		A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.
•	or a No	OS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR otice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A r 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted
		STATEMENT UNDER 37 CFR § 1.97(e):
		em contained in this IDS was first cited in any communication from a foreign patent office
in a cou	ınterpar	t foreign application not more than three months prior to the filing of this IDS.
	No iten	n contained in this IDS was cited in a communication from a foreign patent office in a
counter	part for	eign application, and, to the knowledge of the person signing this statement after making
reasona	ıble inqı	airy, no item of information contained in this IDS was known to any individual designated
in 37 C	FR 8 1	56(c) more than three months prior to the filing of this IDS

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A check in the amount of ____ is enclosed for the above fee(s). Please charge ____ to Deposit Account No. 12-2475 for the above fee(s). The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Lyon & Lyon's Deposit Account No. 12-2475.

PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

Respectfully submitted, LYON & LYON LLP

Dated: March 22, 2002

By:

Kenneth S. Roberts Reg. No. 38,283

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